

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

HEADWATER RESEARCH LLC,

Plaintiff,

v.

SAMSUNG ELECTRONICS CO., LTD.; and
SAMSUNG ELECTRONICS AMERICA,
INC.,

Defendants.

Civil Action No. 2:22-cv-00422-JRG-RSP

JURY DEMANDED

**PLAINTIFF’S UNOPPOSED MOTION TO EXCUSE LEAD COUNSEL FROM
APRIL 24 2024 DISCOVERY HEARING**

Plaintiff Headwater Research LLC (“Headwater”) files this Unopposed Motion to Excuse Lead Counsel from the April 24, 2024 Discovery Hearing. Plaintiff respectfully shows the Court the following:

The Court set a hearing for April 24, 2024 on multiple discovery motions). Pursuant to this Court’s Standing Order Regarding “Meet and Confer” Obligations Relating to Discovery Disputes dated March 11, 2020, “each party’s lead attorney shall attend any discovery motions hearing set by the Court.” (*See also* Dkt. 56 at ¶ 9(d) (Discovery Order))

Lead counsel for Headwater, Marc Fenster, is currently scheduled for mediation on April 23, 2024 SPEX Technologies, Inc v. Western Digital Corporation et al CDCA 8:16-cv-01799-JVS-AGR, and will not be able to travel to Marshall in time for the hearing.

Headwater advised Defendants’ counsel of the conflict when the parties were scheduling this hearing. Accordingly, Plaintiff respectfully requests the Court to excuse Mr. Fenster’s presence from the discovery hearing. Headwater attorneys who plan to attend will be informed

on the issues and will have authority to bind Headwater as per CV-11. Counsel for Plaintiff have met and conferred with counsel for Defendants, and counsel for Defendants indicated they are not opposed to the relief sought herein.

WHEREFORE, Plaintiff respectfully requests that the Court enter an order excusing Mr. Fenster from attending the April 24, 2024, discovery hearing.

Respectfully submitted,

Dated: April 18, 2024

/s/ Robert Christopher Bunt

Marc Fenster
CA State Bar No. 181067
Reza Mirzaie
CA State Bar No. 246953
Brian Ledahl
CA State Bar No. 186579
Ben Wang
CA State Bar No. 228712
Paul Kroeger
CA State Bar No. 229074
Neil A. Rubin
CA State Bar No. 250761
Kristopher Davis
CA State Bar No. 329627
James S. Tsuei
CA State Bar No. 285530
Philip Wang
CA State Bar No. 262239
Amy Hayden
CA State Bar No. 287026
James Milkey
CA State Bar No. 281283
Jason M. Wietholter
CA State Bar No. 337139
RUSS AUGUST & KABAT
12424 Wilshire Blvd. 12th Floor
Los Angeles, CA 90025
Telephone: 310-826-7474
rak_headwater@raklaw.com

Robert Christopher Bunt
Parker, Bunt & Ainsworth, P.C.

Texas State Bar No. 00787165
100 E. Ferguson Suite 418
Tyler, Texas 75702
Tel.: (903) 531-3535
rcbunt@pbatyler.com

**ATTORNEYS FOR PLAINTIFF,
Headwater Research LLC**

CERTIFICATE OF CONFERENCE

I hereby certify that counsel for Plaintiff met and conferred with counsel for Defendants on April 18, 2024 to discuss the substantive issues in this Motion. Counsel for Defendants indicated that are unopposed to the relief sought herein.

/s/ Robert Christopher Bunt
ROBERT CHRISTOPHER BUNT

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was filed electronically on April 18, 2024 pursuant to Local Rule CV-5(a) and has been served on all counsel who have consented to electronic service.

/s/ Robert Christopher Bunt
ROBERT CHRISTOPHER BUNT